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FILED
07/26/2023
Sara Calkins
CLERK
Montana Water Court
STATE OF MONTANA
By: D'Ann CIGLER
43B-0647-R-2022
Lambert, Kathryn
10.00

MONTANA WATER COURT, YELLOWSTONE DIVISION
YELLOWSTONE RIVER ABOVE AND INCLUDING BRIDGER CREEK BASIN
BASIN 43B
PRELIMINARY DECREE

CLAIMANTS: Church Universal & Triumphant Inc.

CASE 43B-0647-R-2022

43B 4150-00
43B 4151-00
43B 185771-00
43B 190998-00
43B 190999-00
43B 191004-00
43B 193104-00
43B 193114-00
43B 193306-00
43B 193308-00
43B 193315-00
43B 193317-00
43B 194354-00
43B 196101-00
43B 196102-00
43B 196103-00
43B 196110-00
43B 196119-00

NOTICE OF FILING OF MASTER'S REPORT

This Master's Report was filed with the Montana Water Court on the above stamped date. Please review this report carefully.

You may file a written objection to this Master's Report within **10 days** of the stamped date if you disagree or find errors with the Master's findings of fact, conclusion of law, or recommendations. Rule 23, W.R.Adj.R. If the Master's Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days to be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must mail a copy of the

objection to all parties on the service list found at the end of the Master's Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master's Report.

MASTER'S REPORT

Each of these claims appeared in the Preliminary Decree with issue remarks. The issue remarks were not addressed through the objection process. The Water Court is required to resolve the issues raised by each issue remark. Section 85-2-248, MCA.

Under Section 85-2-248(3), MCA, information in the claim file or other information obtained by the Court can be reviewed to determine if it provides a sufficient basis to resolve the issue raised by a remark and the Court can provide the claimant an opportunity to file additional information or evidence. On February 17, 2023 the claimant filed a Status Report & Filing Of Information To Resolve Issue Remarks ["February 17, 2023 Information"] for many of the claims. On February 28, 2023 the claimant filed a Notice Of Filing Withdrawal Of Interest for five of the claims. On May 30, 2023 the claimant filed a Filing Of Additional Information To Resolve Issue Remarks. These settlement documents are viewable in the Court's FullCourt Enterprise case management system.

APPLICABLE LAW

"All issue remarks to claims that are not resolved through the filing of an objection as provided in 85-2-233 must be resolved as provided in this section." Section 85-2-248(2), MCA.

A properly filed Statement of Claim for Existing Water Right is prima facie proof of its content pursuant to section 85-2-227, MCA. This prima facie proof may be contradicted and overcome by other evidence that proves, by a preponderance of the evidence, that the elements of the claim do not accurately reflect the beneficial use of the water right as it existed prior to July 1, 1973. This is the burden of proof for every assertion that a claim is incorrect including for claimants objecting to their own claims. Rule 19, W.R.Adj.R.

FINDINGS OF FACT

1. For claim 43B 4150-00, the Preliminary Decree includes the following remarks:

THE TIMELY FILED OBJECTION OF THE UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PERIOD OF USE AND POINT OF DIVERSION BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE AND DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE CONFIRMED WITH AVAILABLE DATA.

The first remark provides notice of actions taken during the Temporary Preliminary Decree proceedings and does not raise unresolved issues which need to be addressed. This remark should be removed as having served its notice purpose.

The Preliminary Decree states that the point of diversion is the SWNESW section 11, T9S, R7E, PARK. The point of diversion should be the SWSENE section 11, T9S, R7E, PARK. The point of diversion issue remark should be removed as addressed and resolved.

The Preliminary Decree states that Aldridge Lake is located in the SESENE section 36, T8S, R7E, PARK. The marked copy of a 2021 aerial photograph attached to the February 17, 2023 Information shows Aldridge Lake in section 36, T8S, R7E, PARK, as does the Water Resources Survey for Park County (1951), although both show it in slightly different locations within the section. The issue remark concerning the existence of the reservoir should be removed as erroneous.

2. For claim 43B 4151-00, the Preliminary Decree includes the following remarks:

THE TIMELY FILED OBJECTION OF THE UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PERIOD OF USE AND POINT OF DIVERSION BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE AND DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE CONFIRMED WITH AVAILABLE DATA.

The first remark provides notice of actions taken during the Temporary Preliminary Decree proceedings and does not raise unresolved issues which need to be addressed. This remark should be removed as having served its notice purpose.

The Preliminary Decree states that the point of diversion is the SWSESE section 2, T9S, R7E, PARK. The point of diversion should be the NWSENE section 2, T9S, R7E, PARK. The

point of diversion issue remark should be removed as addressed and resolved.

The Preliminary Decree states that Aldridge Lake is located in the SESENW section 36, T8S, R7E, PARK. The marked copy of a 2021 aerial photograph attached to the February 17, 2023 Information shows Aldridge Lake in section 36, T8S, R7E, PARK, as does the Water Resources Survey for Park County (1951), although both show it in slightly different locations within the section. The issue remark concerning the existence of the reservoir should be removed as erroneous.

3. For claim 43B 185771-00, the Preliminary Decree includes the following remarks:

THE TIMELY FILED OBJECTION OF THE UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PLACE OF USE, POINT OF DIVERSION AND MEANS OF DIVERSION BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NENWNE SEC 6 TWP 9S RGE 8E PARK COUNTY.

The first remark provides notice of actions taken during the Temporary Preliminary Decree proceedings and does not raise unresolved issues which need to be addressed. This remark should be removed as having served its notice purpose.

The Preliminary Decree states that the point of diversion is the NWNWNE section 6, T9S, R8E, PARK. The marked copy of a 2021 aerial photograph attached to the February 17, 2023 Information confirms this is the correction description. The point of diversion issue remark should be removed as addressed and resolved.

4. For claim 43B 190998-00, the Preliminary Decree includes the following remarks:

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

POINT OF DIVERSION WAS MODIFIED AS A RESULT OF DNRC REVIEW UNDER MONTANA WATER COURT REEXAMINATION ORDERS. IF NO OBJECTIONS ARE FILED TO THIS CLAIM, THESE ELEMENTS WILL REMAIN AS THEY APPEAR ON THIS ABSTRACT AND THE REMARK WILL BE REMOVED FROM THE CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON HOPPE CREEK WITH A PRIORITY DATE PREDATING CASE NO 8174, PARK COUNTY. IF NO OBJECTIONS ARE FILED TO PRIORITY DATE OR TYPE OF HISTORICAL RIGHT, THESE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS REMARK WILL BE REMOVED.

The Preliminary Decree states that the point of diversion is the SWNENE section 11, T9S, R7E, PARK and the means of diversion is DITCH. The point of diversion should be the NWNESE

section 2, T9S, R7E, PARK and the means of diversion should be HEADGATE. The point of diversion issue remark should be removed as addressed and resolved.

The second remark provides notice of a change made prior to issuance of the Preliminary Decree and does not raise an unresolved issue which needs to be addressed. This remark should be removed as having served its notice purpose.

There was no objection filed to address the possible issues identified in the priority date remark. The remark should be removed as having served its notice purpose.

5. For claim 43B 190999-00, the Preliminary Decree includes the following remarks:

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON HOPPE CREEK WITH A PRIORITY DATE PREDATING CASE NO 8174, PARK COUNTY. IF NO OBJECTIONS ARE FILED TO PRIORITY DATE OR TYPE OF HISTORICAL RIGHT, THESE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS REMARK WILL BE REMOVED.

The Preliminary Decree states that the point of diversion is the NWSESE section 2, T9S, R7E, PARK and the means of diversion is DITCH. The point of diversion should be the NWNESE section 2, T9S, R7E, PARK and the means of diversion should be HEADGATE. The point of diversion issue remark should be removed as addressed and resolved.

There was no objection filed to address the possible issues identified in the priority date remark. The remark should be removed as having served its notice purpose.

6. For 43B 191004-00, the Preliminary Decree includes the following remarks:

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON DEAF JIM CREEK WITH A PRIORITY DATE PREDATING CASE NO 8174, PARK COUNTY. IF NO OBJECTIONS ARE FILED TO PRIORITY DATE OR TYPE OF HISTORICAL RIGHT, THESE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS REMARK WILL BE REMOVED.

The Preliminary Decree states that the point of diversion is the SWSNW section 11, T9S, R7E, PARK and the means of diversion is DITCH. The point of diversion should not be changed but the means of diversion should be HEADGATE. The point of diversion issue remark should be removed as addressed and resolved.

There was no objection filed to address the possible issues identified in the priority date remark. The remark should be removed as having served its notice purpose.

7. For claim 43B 193104-00, the Preliminary Decree includes the following remark:

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 10.66 ACRE-FEET PER YEAR.

The Preliminary Decree states that the volume is 11.00 AC-FT. The volume should be 10.66 AC-FT. The volume issue remark should be removed as addressed and resolved.

8. Claim 43B 193114-00 should be dismissed as withdrawn by the claimant.

9. For claim 43B 193306-00, the Preliminary Decree includes the following remarks:

THE TIMELY FILED OBJECTION OF UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PLACE OF USE . BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE AND DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED RIGHT ON DEAF JIM CREEK WITH A PRIORITY DATE 11/01/1894 CASE NO 8174, PARK COUNTY. IF NO OBJECTIONS ARE FILED TO PRIORITY DATE OR TYPE OF HISTORICAL RIGHT, THESE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS REMARK WILL BE REMOVED.

The first remark provides notice of actions taken during the Temporary Preliminary Decree proceedings and does not raise an unresolved issue which needs to be addressed. This remark should be removed as having served its notice purpose.

The Preliminary Decree states that the point of diversion is the NWSNW section 11, T9S, R7E, PARK. The point of diversion should be the SWSNW section 11, T9S, R7E, PARK. The point of diversion issue remark should be removed as addressed and resolved.

There was no objection filed to address the possible issues identified in the priority date remark. The remark should be removed as having served its notice purpose.

10. For claim 43B 193308-00, the Preliminary Decree includes the following remarks:

THE TIMELY FILED OBJECTION OF UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PLACE OF USE . BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE AND DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

The first remark provides notice of actions taken during the Temporary Preliminary Decree proceedings and does not raise an unresolved issue which needs to be addressed. This remark should be removed as having served its notice purpose.

The Preliminary Decree states that the point of diversion is the NWSESE section 2, T9S, R7E, PARK. The point of diversion should be the NWNESE section 2, T9S, R7E, PARK. The point of diversion issue remark should be removed as addressed and resolved.

11. Claim 43B 193315-00 should be dismissed as withdrawn by the claimant.

12. Claim 43B 193317-00 should be dismissed as withdrawn by the claimant.

13. For claim 43B 194354-00 the Preliminary Decree includes the following remarks:

THE TIMELY FILED OBJECTION OF UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PLACE OF USE . BECAUSE THIS ELEMENT WAS NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THIS CHANGE MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE AND DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

The first remark provides notice of actions taken during the Temporary Preliminary Decree proceedings and does not raise an unresolved issue which needs to be addressed. This remark should be removed as having served its notice purpose.

The Preliminary Decree states that the point of diversion is the NWSESE section 2, T9S, R7E, PARK. The point of diversion should be the NWNESE section 2, T9S, R7E, PARK. The point of diversion issue remark should be removed as addressed and resolved.

14. For claim 43B 196101-00, the Preliminary Decree includes the following remarks:

THE TIMELY FILED OBJECTION OF THE UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PERIOD OF USE AND PLACE OF USE BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE SWSENE SEC 11 TWP 9S RGE 7E PARK COUNTY.

The first remark provides notice of actions taken during the Temporary Preliminary Decree proceedings and does not raise unresolved issues which need to be addressed. This remark should be removed as having served its notice purpose.

The Preliminary Decree states that the point of diversion is the SWSENE section 11, T9S, R8E, PARK. The point of diversion should be the NWNESE section 2, T9S, R7E, PARK. The point of diversion issue remark should be removed as addressed and resolved.

15. For claim 43B 196102-00, the Preliminary Decree includes the following remarks:

THE TIMELY FILED OBJECTION OF THE UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PERIOD OF USE AND PLACE OF USE BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE AND DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

The first remark provides notice of actions taken during the Temporary Preliminary Decree proceedings and does not raise unresolved issues which need to be addressed. This remark should be removed as having served its notice purpose.

The Preliminary Decree states that the point of diversion is the NWSESE section 2, T9S, R7E, PARK. The point of diversion should be the NWNESE section 2, T9S, R7E, PARK. The point of diversion issue remark should be removed as addressed and resolved.

16. For claim 43B 196103-00 the Preliminary Decree includes the following remarks:

THE TIMELY FILED OBJECTION OF THE UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PERIOD OF USE AND PLACE OF USE BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE AND DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

The first remark provides notice of actions taken during the Temporary Preliminary Decree proceedings and does not raise unresolved issues which need to be addressed. This remark should be removed as having served its notice purpose.

The Preliminary Decree states that the point of diversion is the NWSESE section 2, T9S, R7E, PARK. The point of diversion should be the NWNESE section 2, T9S, R7E, PARK. The point of diversion issue remark should be removed as addressed and resolved.

17. Claim 43B 196110-00 should be dismissed as withdrawn by the claimant.

18. For claim 43B 196119-00, the Preliminary Decree includes the following remarks:

THE TIMELY FILED OBJECTION OF THE UNITED STATES OF AMERICA WAS AMENDED BY AGREEMENT OF THE PARTIES TO INCLUDE PERIOD OF USE AND PLACE OF USE BECAUSE THESE ELEMENTS WERE NOT INCLUDED ON THE OBJECTION LIST, ANY WATER USER WHOSE RIGHTS MAY BE ADVERSELY AFFECTED BY ENFORCEMENT OF THESE CHANGES MAY PETITION THE APPROPRIATE COURT FOR RELIEF OR MAY FILE AN OBJECTION AT THE PRELIMINARY DECREE.

THE CLAIMED POINT OF DIVERSION IS IN QUESTION. THE LOCATION OF THE HEADGATE AND DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED RIGHT ON DEAF JIM CREEK WITH A PRIORITY DATE PREDATING CASE NO 8174, PARK COUNTY. IF NO OBJECTIONS ARE FILED TO PRIORITY DATE OR TYPE OF HISTORICAL RIGHT, THESE ELEMENTS WILL BE DECREED AS SHOWN ON THIS ABSTRACT AND THIS REMARK WILL BE REMOVED.

The first remark provides notice of actions taken during the Temporary Preliminary Decree proceedings and does not raise unresolved issues which need to be addressed. This remark should be removed as having served its notice purpose.

The Preliminary Decree states that the point of diversion is the NWSENW section 11, T9S, R7E, PARK. The point of diversion should be the SWSENW section 11, T9S, R7E, PARK. The point of diversion issue remark should be removed as addressed and resolved.

There was no objection filed to address the possible issues identified in the priority date remark. The remark should be removed as having served its notice purpose.

CONCLUSION OF LAW

The information provided by the claimant is sufficient to contradict and overcome the prima facie claims and sufficient to resolve the issue remarks without evidentiary hearing. Sections 85-2-248(3) and (11), MCA.

RECOMMENDATIONS

Based upon the above Findings of Fact and Conclusion of Law, this Master recommends that the Court make the changes specified in the Findings of Fact to correct the Preliminary Decree for this Basin. A Post Decree Abstract of Water Right Claim for each claim is served with this Report to confirm the recommended changes have been made in the state's centralized record system.

ELECTRONICALLY SIGNED AND DATED BELOW

Service Via Electronic Mail:

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Service via USPS Mail:

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Church Universal & Triumphant Inc.
63 Summit Way
Gardiner, MT 59030-9314

Note: Service List Updated 7-20-23

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 4150-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: JUNE 15, 1891

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

***Maximum Acres:** 43.40

***Source Name:** DEAF JIM CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSNW	11	9S	7E	PARK

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Reservoir: OFFSTREAM **Reservoir Name:** ALDRIDGE LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESENW	36	8S	7E	PARK

Diversion to Reservoir: DIVERSION # 1

***Period of Use:** APRIL 15 TO OCTOBER 15

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	43.40		NW	36	8S	7E	PARK
Total:	43.40						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

4150-00	4151-00	4152-00	4153-00	196100-00	196101-00
196102-00	196103-00	196110-00			

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT IN 03/12/1997 STIPULATION LOCATED IN THE CASE AND CLAIM FILES.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 4151-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: MAY 31, 1886

Type of Historical Right: DECREED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 336.60 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

***Maximum Acres:** 43.40

***Source Name:** HOPPE CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	2	9S	7E	PARK

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

***Reservoir:** OFFSTREAM **Reservoir Name:** ALDRIDGE LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SESENW	36	8S	7E	PARK

Diversion to Reservoir: DIVERSION # 1

***Period of Use:** APRIL 15 TO OCTOBER 15

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	43.40		NW	36	8S	7E	PARK
Total:	43.40						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

4150-00	4151-00	4152-00	4153-00	196100-00	196101-00
196102-00	196103-00	196110-00			

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT IN 03/12/1997 STIPULATION LOCATED IN THE CASE AND CLAIM FILES.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 185771-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: MAY 13, 1885

Type of Historical Right: FILED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 4.83 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

***Maximum Acres:** 127.60

***Source Name:** SPRING CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	6	9S	8E	PARK
Period of Diversion:	APRIL 15 TO NOVEMBER 15					
Diversion Means:	DITCH					
Period of Use:	APRIL 15 TO NOVEMBER 15					

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	34.30		SE	31	8S	8E	PARK
2	17.80		W2W2SW	32	8S	8E	PARK
3	9.30		W2W2NW	5	9S	8E	PARK
4	66.20		NE	6	9S	8E	PARK
Total:	127.60						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

185771-00	193321-00	196080-00	196083-00	196084-00	196087-00
196095-00	196096-00	196112-00	196120-00	196121-00	

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 190998-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: MAY 13, 1885

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: HOPPE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	2	9S	7E	PARK

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2	6	9S	8E	PARK

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 190999-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: MAY 31, 1886

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: HOPPE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	2	9S	7E	PARK

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2	6	9S	8E	PARK
2			SE	31	8S	8E	PARK
3			N2	1	9S	7E	PARK
4			SE	2	9S	7E	PARK

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 191004-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: NOVEMBER 1, 1894

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: DEAF JIM CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSNW	11	9S	7E	PARK

Period of Diversion: APRIL 1 TO OCTOBER 31

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2	1	9S	7E	PARK
2			SE	2	9S	7E	PARK
3			E2NW	11	9S	7E	PARK
4			E2	6	9S	8E	PARK

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 193104-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: JUNE 30, 1948

Type of Historical Right: FILED

Purpose (use): DOMESTIC

Flow Rate: 12.00 GPM

Volume: 10.66 AC-FT

Households: 1

Maximum Acres: 5.00

Source Name: SPRING, UNNAMED TRIBUTARY OF DEAF JIM CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	11	9S	7E	PARK

Period of Diversion: MAY 15 TO DECEMBER 1

Diversion Means: PIPELINE

Period of Use: MAY 15 TO DECEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		SWSWSW	11	9S	7E	PARK

Total: 5.00

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 193114-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: DISMISSED

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date:

Type of Historical Right:

Purpose (use): DOMESTIC

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF MULHERIN CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 193306-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: NOVEMBER 1, 1894

Type of Historical Right: FILED

Purpose (use): POWER GENERATION

Flow Rate: 314.20 GPM

Volume: 508.04 AC-FT

THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

Source Name: DEAF JIM CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENW	11	9S	7E	PARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	36	8S	7E	PARK
2			S2SW	36	8S	7E	PARK
3			NW	1	9S	7E	PARK

Remarks:

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT IN 03/12/1997 STIPULATION LOCATED IN THE CASE AND CLAIM FILES.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 193308-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: NOVEMBER 1, 1894

Type of Historical Right: FILED

Purpose (use): POWER GENERATION

Flow Rate: 337.00 GPM

Volume: 544.33 AC-FT

THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

Source Name: HOPPE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	2	9S	7E	PARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	36	8S	7E	PARK
2			S2SW	36	8S	7E	PARK
3			NW	1	9S	7E	PARK

Remarks:

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT IN 03/12/1997 STIPULATION LOCATED IN THE CASE AND CLAIM FILES.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: **43B 193315-00** STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: **DISMISSED**

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

***Priority Date:**

Type of Historical Right:

Purpose (use): POWER GENERATION

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF MULHERIN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: **43B 193317-00** STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: **DISMISSED**

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

***Priority Date:**

Type of Historical Right:

Purpose (use): POWER GENERATION

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF MULHERIN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 194354-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: MAY 31, 1886

Type of Historical Right: FILED

Purpose (use): POWER GENERATION

Flow Rate: 3.75 CFS

Volume: 2,721.67 AC-FT

THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

Source Name: HOPPE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	2	9S	7E	PARK

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	36	8S	7E	PARK
2			S2SW	36	8S	7E	PARK
3			NW	1	9S	7E	PARK

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

194354-00 196102-00

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT IN 03/12/1997 STIPULATION LOCATED IN THE CASE AND CLAIM FILES.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 196101-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: MAY 13, 1885

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

***Flow Rate:** 1.64 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

***Maximum Acres:** 43.40

***Source Name:** HOPPE CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	2	9S	7E	PARK

***Period of Diversion:** APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

***Period of Use:** APRIL 15 TO OCTOBER 15

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	43.40		NW	36	8S	7E	PARK
Total:	43.40						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

4150-00	4151-00	4152-00	4153-00	196100-00	196101-00
196102-00	196103-00	196110-00			

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT IN THE 03/12/1997 STIPULATION LOCATED IN THE CASE AND CLAIM FILES.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 196102-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: MAY 31, 1886

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

***Flow Rate:** 1.64 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

***Maximum Acres:** 43.40

Source Name: HOPPE CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	2	9S	7E	PARK

***Period of Diversion:** APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

***Period of Use:** APRIL 15 TO OCTOBER 15

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	43.40		NW	36	8S	7E	PARK
Total:	43.40						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

4150-00	4151-00	4152-00	4153-00	196100-00	196101-00
196102-00	196103-00	196110-00			

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

194354-00

196102-00

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT IN 03/12/1997 STIPULATION LOCATED IN THE CASE AND CLAIM FILES.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 196103-00 STATEMENT OF CLAIM
Version: 4 -- POST DECREE
Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: JULY 1, 1917

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.64 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

***Maximum Acres:** 43.40

Source Name: HOPPE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	2	9S	7E	PARK

***Period of Diversion:** APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

***Period of Use:** APRIL 15 TO OCTOBER 15

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	43.40		NW	36	8S	7E	PARK
Total:	43.40						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

4150-00	4151-00	4152-00	4153-00	196100-00	196101-00
196102-00	196103-00	196110-00			

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT IN 03/12/1997 STIPULATION LOCATED IN THE CASE AND CLAIM FILES.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: **43B 196110-00** STATEMENT OF CLAIM

Version: 4 -- POST DECREE

Status: **DISMISSED**

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

***Priority Date:**

Type of Historical Right:

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF MULHERIN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED BY ORDER OF THE WATER COURT.

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
YELLOWSTONE RIVER, ABOVE & INCLUDING BRIDGER CREEK
BASIN 43B

Water Right Number: 43B 196119-00 STATEMENT OF CLAIM
Version: 3 -- POST DECREE
Status: ACTIVE

Owners: CHURCH UNIVERSAL & TRIUMPHANT INC
63 SUMMIT WAY
GARDINER, MT 59030 9314

Priority Date: JUNE 15, 1891

Type of Historical Right: FILED

Purpose (use): IRRIGATION
Irrigation Type: FLOOD

***Flow Rate:** 202.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

***Maximum Acres:** 12.00

Source Name: DEAF JIM CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSNW	11	9S	7E	PARK

***Period of Diversion:** APRIL 15 TO OCTOBER 15

Diversion Means: HEADGATE

***Period of Use:** APRIL 15 TO OCTOBER 15

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	12.00		NWNW	1	9S	7E	PARK
Total:	12.00						

Remarks:

THIS WATER RIGHT IS SUBJECT TO A PRIVATE AGREEMENT IN 03/12/1997 STIPULATION LOCATED IN THE CASE AND CLAIM FILES.